

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**IN RE: NATIONAL COLLEGIATE  
ATHLETIC ASSOCIATION STUDENT-  
ATHLETE CONCUSSION LITIGATION**

MDL NO. 2492  
Case No. 13-cv-09116

Judge John Z. Lee

Magistrate Judge Brown

**SECOND UNOPPOSED MOTION FOR EXTENSION TO PROVIDE  
ADDITIONAL DETAIL IN SUPPORT OF SETTLEMENT EXPENSES**

On November 28, 2016, Settlement Class Counsel submitted a Motion For Leave To Pay Settlement Expenses From the Settlement Fund (Dkt. No. 306). On November 29, 2016, this Court ordered that:

Settlement Class Counsel shall: (1) certify that the settlement expenses are necessary for the purpose of a just and efficient settlement of this case, (2) file the invoice(s) justifying the expenses as exhibits to the motion, (3) provide the budget previously submitted to the Court for such expenses and state whether the actual expenses are under, over, or at the budgeted amount, and (4) provide an estimate as to whether the parties are on target for meeting the previously submitted budget.

Settlement Class Counsel and the NCAA are currently working with the Notice Administrator regarding future projections of costs to complete the Notice Program, and request an additional seven days to submit the requested detail. The reason that this process has taken longer than originally contemplated is because it has taken longer than expected to gather student-athlete contact information.

The 2015 Vasquez Declaration outlined three possible direct notice scenarios: Scenario 1 assumed direct notice via USPS mail to 2.9 million individuals. Scenario 2 assumed direct USPS notice to 2.9 million individuals as well as email notice to 1.45 million (assuming 50% of the individuals would also have an email address available). Scenario 3 assumed direct USPS

notice to 4.2 million individuals and no email notice. All three scenarios contemplated that direct Notice efforts would occur during the first phase of the media campaign.

However, because the parties have been working to obtain the class member contact information from each individual NCAA school (and by all accounts have been successful with over 2.9 million records to date and more expected to be received in the coming weeks), the media campaign launched first with no direct Notice. While the response to the request for contact information from the individual schools has been robust, it has taken the Notice Administrator longer than expected to standardize the data it has received due to greater-than-anticipated variations in the format in which the data has been provided. And as the Court is aware, the NCAA has sent one final request for information from schools that have not yet responded, and Class Counsel is sending subpoenas to those schools that fail to respond to that final request. As such, the Notice Administrator has not yet received all the class member contact information it will use to send direct Notice. Accordingly, the Notice Administrator and the parties are currently analyzing the reach of the media campaign and the expected reach of direct Notice. Depending on the outcome of that analysis, the parties and Notice Administrator will recommend to the Court whether or not a second media campaign, post-direct notice, is necessary. That recommendation will affect future costs and therefore the projections to be submitted at the Court's request.

The NCAA does not oppose this request.

WHEREFORE, Settlement Class Counsel respectfully requests an extension of time until December 23, 2016 to submit the additional information requested in the Court's November 29, 2016 Order, and such other and further relief as this Court deems appropriate.

Dated: December 16, 2016

For the Plaintiffs:

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By: /s/ Steve W. Berman

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*Settlement Class Counsel*

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that on December 16, 2016, a true and correct copy of the foregoing was filed electronically via CM/ECF, which caused notice to be sent to all counsel of record.

By: */s/ Steve W. Berman*  
Steve W. Berman